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Draft budget proposals of the International Tribunal for the Law of the Sea for 2011-2012

Presented by the Tribunal

I. Introduction

1. During its twenty-ninth session, held from 8 to 19 March 2010, the Tribunal considered and approved the budget proposals for 2011-2012. In accordance with the Financial Regulations of the Tribunal, the budget has been prepared in euros and covers a biennial financial period.

2. In line with established practice, the budgetary requirements of the Tribunal for 2011-2012 are based on (a) the expected volume of judicial work; (b) the Tribunal's administrative work; and (c) the operation of the Tribunal's premises.

3. Any consideration of the budget resources necessary for the work programme of the Tribunal needs to take account of the fact that the Tribunal, as a judicial body established under the United Nations Convention on the Law of the Sea, is responsible for its own administrative and financial management.

4. The budget for 2011-2012 follows an overall zero growth approach compared with the equivalent value in euro of the 2009-2010 budget. At the same time, the budgetary arrangements established for the Tribunal are based on the approach adopted by the second Meeting of States Parties that there should be an evolutionary approach, reflecting the needs of the Tribunal and optimizing efficiency.

5. In accordance with the Tribunal's Financial Regulations, the proposed budget for the 2011-2012 financial period is presented in euros. However, it should be noted that the US dollar remains the reference currency for some budget lines, such as judges' allowances, judges' common costs, judges' pension scheme and representation allowance. The US dollar is also used as the reference currency for the budget estimates of staff costs (Professional staff category), which are issued by the United Nations. Accordingly, these budget lines are subject to exchange rate fluctuations between the US dollar and the euro. It may be noted, however, that the post adjustment mechanism for judges' remuneration as well as for Professional

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staff will alleviate and largely absorb the effects of exchange rate movements between the dollar and the euro.

6. Pursuant to the decision of the thirteenth Meeting of States parties (SPLOS/98, para. (a)), budgetary appropriations in respect of established posts have been calculated on the basis of gross salary. Assessments of States Parties' contributions have included a credit in respect of the amount of staff assessment relating thereto. Consequently, separate budget lines, indicating the gross salary and the staff assessment credit, have been established in the budget proposals.

7. The following parameters have been utilized for preparing the budget proposals:

(a) The dollar/euro exchange rate of 0.741 as adopted by the United Nations for March 2010;

(b) The daily subsistence allowance for Hamburg in March 2010 amounting to €247 as adopted by the International Civil Service Commission;

(c) Estimates relating to staff costs are based on standard costs issued by the Programme Planning and Budget Division of the United Nations (version 5, applicable to The Hague, 2011);

(d) Estimates relating to judges' remuneration are based on the post adjustment multiplier (52.8) and the exchange rate between the dollar and the euro for March 2010 (0.741) as adopted by the United Nations.

8. The proposed budget contains increases in certain lines (see paras. 24, 25, 34, 35, 36, 38, 41, 42, 55, 64, 66, 69, 74, 80 and 86 below). These increases are based on the workload of the Tribunal, in particular the handling of Case No. 16 submitted to the Tribunal in December 2009; the decisions of the Meeting of States Parties regarding the remuneration of the judges; the pension scheme of judges and the salary of staff members based on the United Nations common system; and parameters which are beyond the control of the Tribunal, such as the inflation rate applicable in the host country and the exchange rate fluctuations between the dollar and the euro. The dollar/euro exchange rate of 0.661 for March 2008 was applied to the 2009-2010 budget, while the exchange rate of 0.741 for March 2010 is applied to the 2011-2012 budget proposals. Accordingly, the dollar is appreciated by 11.21 per cent compared with March 2008, resulting in an increase of €105,600 in the budget lines in respect of which the reference currency is the United States dollar, i.e., judges' pension scheme, repatriation grant under judges' common costs, President's allowance and representation allowance.

9. In order to minimize these increases and on the basis of a careful assessment of possible ways to optimize efficiency, decreases are proposed in certain budget lines, such as temporary assistance for meetings, general temporary assistance and overtime under Part A, "Recurrent expenditure", miscellaneous services and charges (including bank charges), special services (external audit) and external printing and binding (see paras. 26, 60, 75, 77, 78, 90, 92 and 96). Likewise, in respect of other budget lines which are subject to inflation or other cost increases, it is proposed to keep the same amount as that included in the budget proposals for 2009-2010 (see paras. 79, 81, 87, 89, 91, 95 and 98). This approach, which represents a decrease in real terms, has been followed for budget lines such as training, official travel, hospitality, rental and maintenance of equipment, communications, supplies and

materials, procurement of books and publications, and purchase of equipment and overtime under Part C, "Case-related costs". In addition, a decrease in the budget line for judges' special allowance is the result of a reduction in the daily subsistence allowance applicable to Hamburg (see para. 60).

10. A table showing the proposed 2011-2012 budget of the Tribunal is contained in annex I to the present document. The table also includes approved budgets for the 2005-2006, 2007-2008 and 2009-2010 financial periods and performance records for the 2005-2006 and 2007-2008 financial periods.

Judicial work

11. As in previous years and in order to discharge its judicial functions, the Tribunal will continue to deal with urgent cases submitted to it by States parties. In line with past practice, budgetary estimates allow for two urgent cases each year.

12. On 14 December 2009, a new case was submitted to the Tribunal. The case relates to a dispute concerning the maritime boundary between Bangladesh and Myanmar in the Bay of Bengal. The case was entered in the list of cases as Case No. 16. As the hearings and deliberations in the case are expected to take place in the 2011-2012 financial period, the costs required to deal with it have been included in the present budget proposals. In order to optimize efficiency and to reduce costs, administrative sessions of the Tribunal are planned to take place as far as possible in conjunction with judicial proceedings before the Tribunal.

13. In 1999, the ninth Meeting of States Parties established a contingency provision for case-related expenses. Pursuant to the decision of the thirteenth Meeting of States Parties, this part of the budget was renamed "Case-related costs" (SPLOS/96, para. 2). The budget estimates in the 2011-2012 budget proposals provide for the consideration of two urgent cases each year as well as for the consideration of Case No. 16. Provision has thus been made under Part C, "Case-related costs", for the following judicial work:

(a) Urgent proceedings: six weeks of meetings, including hearings and deliberations and the rendering of orders and judgments, in each calendar year;

(b) Case No. 16: thirteen weeks of meetings of the Tribunal (including judges ad hoc); five weeks of meetings of the Drafting Committee.

Judges

14. The level of remuneration of the members of the International Tribunal for the Law of the Sea was established in 1996 by the fourth Meeting of States Parties. In that regard, the Meeting of States Parties decided on the principle of maintaining equivalence with the remuneration levels of judges of the International Court of Justice.

15. Following the adoption by the General Assembly in 2008 of a new system of remuneration for judges of the International Court of Justice (decision 62/547 of 3 April 2008) based on paragraph 77 of the Secretary-General's report on the conditions of service and compensation for officials other than Secretariat officials

(A/62/538),[1] the nineteenth Meeting of States Parties decided on 26 June 2009, with respect to the remuneration of the judges of the Tribunal, to set, effective 1 July 2009, the annual net base salary of the members of the Tribunal at $161,681, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for Hamburg, as appropriate, taking into account the post adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report. The Meeting of States Parties also decided, on the occasion of future revisions to the annual net base salary of members of the International Court of Justice, to consider that the annual base salary of the members of the Tribunal should also be adjusted by the same percentage and at the same time, bearing in mind the need to maintain the equivalence with the remuneration levels of the members of the International Court of Justice (SPLOS/200).

16. The General Assembly, in its resolution 64/231 of 22 December 2009, approved an increase of 3.04 per cent for the salary of the staff in the Professional and higher categories as recommended by the International Civil Service Commission.[2] Pursuant to the decision of the General Assembly referred to in paragraph 15 above, the annual base salary of the members of the International Court of Justice was revised from $161,681 to $166,596, effective 1 January 2010.

17. Consequently, on the basis of the decision of the Meeting of States Parties (SPLOS/200, para. 2), the annual base salary of the judges of the Tribunal needs to be adjusted to $166,596, effective 1 January 2010, in line with the adjustment made to that of the judges of the International Court of Justice. A proposal to this effect is contained in document SPLOS/207.

18. In the light of the above decisions, the estimates for annual and special allowances of judges of the Tribunal for 2011-2012 contained in annexes V, VII and VIII to the present report have been calculated by applying to the adjusted annual base salary of $166,596 the post adjustment multiplier of 52.8 applicable to Hamburg for March 2010 and the exchange rate between the United States dollar and the euro for March 2010 adopted by the United Nations.

Registry

19. Since the Tribunal is an independent judicial institution, the staff of the Registry has to discharge a wide range of tasks relating to judicial and legal matters, budget and finance and administration.

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[1] Paragraph 77 reads as follows:

> Should the above proposal [the introduction of the post adjustment system] be considered [...] the Secretary-General would also propose that **on the occasion of future revisions to the base scale applicable to staff in the Professional and higher categories** that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, **the annual base salary of the members of the International Court of Justice and the judges and ad litem judges of the Tribunals also be adjusted by the same percentage and at the same time**. (emphasis added)

[2] See (A/64/30, para. 66): "The Commission decided to recommend to the General Assembly that the current base/floor salary scale for the Professional and higher categories be adjusted by 3.04 per cent through the standard consolidation procedure, i.e., by increasing base salary while commensurately reducing post adjustment levels, with effect from 1 January 2010."

20. The Registry provides the full range of support and assistance required by the Tribunal for dealing with cases submitted to it, including legal research and documentation, translation, interpretation, verbatim records and communications to judges, the parties in the cases and other interested States and organizations. In addition, the Registry is responsible for preparing and distributing case records, publications and press releases.

21. Another responsibility of the Registry is the management of the Tribunal's finances, which includes the execution of the budget and the collection of contributions of parties.

22. Finally, the Registry is responsible for the administration of the Tribunal, which includes staff and personnel matters; the operation and maintenance of the premises of the Tribunal, including security matters; the provision of library services and maintenance of archives; protocol; the operation and maintenance of the electronic systems, including equipment, databases and the Tribunal's website; and administrative and logistical support for the travel of judges engaged in the business of the Tribunal. It also manages the internship and training and capacity-building programmes on dispute settlement under the Convention. Further, the Registry assists in maintaining relations with the United Nations and other international organizations as well as with relevant departments and agencies of the Government of the host country and the Governments of States parties.

23. It may be noted that the number of staff members has remained at 37 since 2003 and no additional post is requested for 2011-2012. Given the limited number of staff members, several staff members fulfil different functions. Whenever a case has to be dealt with, additional temporary support is procured (interpreters, verbatim reporters, secretarial assistance).

24. The provision for common staff costs in the 2009-2010 financial period was based on a projection of actual costs, amounting to €1,991,900. The same approach is proposed for 2011-2012. On this basis, the common staff costs for 2011-2012 will amount to €2,034,200, which represents an increase of €42,300 compared with the appropriation approved for 2009-2010.

Increases and decreases

25. As pointed out in paragraph 4 above, the Tribunal, in preparing the budget proposals for 2011-2012, continues, wherever possible, to be guided by the principle of zero growth in respect of expenditure. However, for reasons indicated in paragraph 8, the budget proposals contain the following increases:

(a) A decrease of €32,300 is envisaged for the handling of urgent proceedings, which is mainly due to a reduction in daily subsistence allowance. However, substantial increases amounting to €2,584,100 are envisaged under Part C, "Case-related costs", for the handling of Case No. 16. They relate to the budget lines for judges' special allowances; compensation to judges ad hoc; travel to meetings, including judges ad hoc; temporary assistance for meetings; and overtime. As a result an increase of €2,551,800 is envisaged for case-related costs;

(b) The adjustment of the annual base salary of judges of the Tribunal from $161,681 to $166,596, effective 1 January 2010, would result in an increase in judges' annual allowance in the amount of €72,300 under Part A, "Recurrent expenditure";

(c) A new president of the Tribunal is elected every three years. No election took place during the budgetary period 2009-2010. Therefore no provision was included in the budget for 2009-2010 for the assignment and repatriation grants for a new president and the former president. The next election will take place during the financial period 2011-2012. Provision is made for assignment and repatriation grants and for an education grant. As a result an increase of €59,500 is envisaged for the budget line judges' common costs;

(d) An estimated increase in the standard costs for staff, as issued by the Programme Planning and Budget Division, has led to a net increase of €246,800 for established posts for 2011-2012;

(e) The common staff costs have been increased by €42,300 for 2011-2012 on the basis of an estimate of actual costs, as in the past (see paras. 24 and 74 and annex XI);

(f) In 2011 the terms of office will expire for seven judges, who will be entitled to a pension as from October 2011. Accordingly, in addition to a provision for the pensions currently in payment, an amount of €288,800 has been envisaged to meet the corresponding obligations for the 2011-2012 financial period. On this basis, a total of €933,300 is proposed to meet the requirement for 2011-2012, which represents an increase of €346,200 compared with the appropriation approved for 2009-2010.[3] The amount that will be utilized to meet the actual needs of the Tribunal will depend on the results of the 2011 election. Any appropriations not utilized will be surrendered in accordance with the Financial Regulations of the Tribunal;

(g) Expenditures incurred in euros have been adjusted to allow for inflation, giving rise to an increase of €75,900. An average inflation rate of 1.47 per cent, as determined by the German Statistical Office for 2008-2009, has been taken into account in respect of two items, judges' travel to sessions and maintenance of premises;

(h) The representation allowance is determined in United States dollars. Owing to fluctuations between the dollar and the euro, the appropriation for this budget line will be increased by €1,300 compared with 2009-2010.[4]

The increases proposed above, which are based on the workload of the Tribunal, the decisions of the Meeting of States Parties, the salary of staff members based on the United Nations common system and parameters beyond the control of the Tribunal, total €3,396,100.

26. On the basis of past experience, the assessment of the current requirement and the reduced daily subsistence allowance rate for Hamburg, it has been possible to plan reductions amounting to €40,100 in the following budget lines: judges' special allowances and overtime and temporary assistance for meetings under Part A, "Recurrent expenditure"; general temporary assistance; miscellaneous services and

[3] The appreciation of the United States dollar against the euro has substantial impact on this budget line. Of the increase of €346,200, €100,800 is due to the appreciation of the dollar against the euro.

[4] The United States dollar/euro exchange rate of 0.661 for March 2008 was applied to the 2009-2010 budget, while the exchange rate of 0.741 for March 2010 is applied to the 2011-2012 budget.

charges (including bank charges); special services (external audit); and external printing and binding.

27. On the basis of the performance in the previous financial periods and in order to minimize the increase, the same amounts as approved in the 2009-2010 budget have been proposed in respect of the following budget lines:

- Training
- Official travel
- Hospitality
- Rental and maintenance of equipment
- Communications
- Supplies and materials
- Library — procurement of books and publications
- Purchase of equipment

Since no inflation rate is applied to these budget lines, this represents a decrease in real terms.

28. Taking into account the increases proposed in paragraph 25 (€3,396,100) and the decreases referred to in paragraph 26 (€40,100), a total increase of €3,356,000 is envisaged for 2011-2012.

29. It may be noted that the amount to be surrendered from the cash surplus for the 2007-2008 financial period has been determined to be €1,913,700 (see SPLOS/207). Out of this amount, as of 12 March 2010, an amount of €1,899,778 can be deducted from the contributions of the States parties to the 2011 budget and the remaining €13,922 will be retained pending the payment by the States parties concerned of their contributions to the 2007-2008 period in accordance with regulation 4 of the Tribunal's Financial Regulations.

II. Budget proposals

Part C
Case-related costs

30. In accordance with the decision of the thirteenth Meeting of States Parties, expenses for judicial meetings are included in a separate part of the budget for case-related costs (Part C). The budget proposals for the 2011-2012 financial period envisage the following judicial work:

(a) Urgent proceedings (see annex VII): six weeks of meetings during each calendar year including hearings and deliberations and the reading of orders and judgments;

(b) Case No. 16 (see annex VIII): 13 weeks of meetings of the Tribunal (including judges ad hoc) and five weeks of meetings of the Drafting Committee.

Urgent proceedings

31. In accordance with past practice and the judicial requirements of the Tribunal, costs for six weeks of meetings to deal with two urgent cases per year and prorated associated costs for hearings, deliberations and rendering of orders and judgments are proposed for inclusion under "Case-related costs". The associated costs also include costs for judges' travel to Hamburg, temporary assistance for meetings and overtime. The provision is detailed in annex VII and amounts to €2,579,500. This represents a decrease of €32,300 compared with the appropriation approved for 2009-2010. This appropriation will be used only if the Tribunal meets to deal with cases.

Case No. 16

32. Case No. 16 was filed on 14 December 2009. The related hearings and deliberations, which are expected to take place during the 2011-2012 financial period, and proceedings on the case will be arranged, as far as possible, in conjunction with sessions of the Tribunal. The estimated costs required to deal with it are detailed in annex VIII and amount to €2,584,100.

33. According to the timetable as contained in the Order of 28 January 2010, the final written pleadings of the parties will be submitted by 1 July 2011. After the closure of the written proceedings, the Tribunal, pursuant to its Rules and the resolution on the internal judicial practice of the Tribunal, will meet for deliberations and hearings in 2011 as follows:

(a) Deliberations before oral proceedings under article 68 of the Rules: one week;

(b) Oral proceedings under article 69 of the Rules: three weeks;

(c) Initial deliberations after oral proceedings under article 5 of the resolution on the internal judicial practice of the Tribunal: four weeks;

(d) Meeting of the Drafting Committee under articles 7 and 11 of the resolution on the internal judicial practice of the Tribunal: five weeks;

(e) Deliberations on the draft judgment under article 8 of the resolution on the internal judicial practice, and reading of the judgment: five weeks.

Total estimates

34. The total estimates of the costs for urgent proceedings and Case No. 16 amount to €5,163,600, which represents an increase of €2,598,900 compared with the appropriations under "Case-related costs" approved for 2009-2010.

Section 10
Judges

10.1 Special allowances

35. A provision of €1,609,900 is proposed for 2011-2012 to cover special and subsistence allowances of judges in relation to four urgent cases. For Case No. 16, an amount of €1,477,700 is envisaged. This includes a special allowance for preparatory work which is based upon two thirds of the number of days planned for

judicial meetings. Thus, the total provision for special allowances for urgent proceedings and Case No. 16 amounts to €3,087,600.

10.2 Compensation to judges ad hoc

36. A provision of €100,500 has been included to cover the compensation paid to two judges ad hoc for three weeks of meetings and two and a half weeks of preparatory work per one urgent proceeding. For Case No. 16 an amount of €170,800 is proposed to cover compensation for two judges ad hoc, which consists of annual allowance, special allowance (including special allowance for preparatory work) and daily subsistence allowance. As for the members of the Tribunal, the special allowance of judges ad hoc for preparatory work is also based upon two thirds of the number of days for judicial meetings in which they participate. The total provision of this budget line to cover urgent proceedings and Case No. 16 amounts to €271,300.

10.3 Travel of judges, including judges ad hoc, to meetings

37. The provision in the amount of €291,800 is envisaged to cover the travel costs of judges, including judges ad hoc, to urgent proceedings, whereas an amount of €158,300 is proposed to finance the travel costs of judges, including judges ad hoc, for Case No. 16. Trips are envisaged to deal with Case No. 16 as follows:

(a) One round trip for all judges for deliberations before oral proceedings;

(b) One round trip for all judges for initial deliberations after oral proceedings;

(c) One round trip for all judges for deliberations on the draft judgment and reading of judgment;

(d) One round trip for the members of the Drafting Committee.

38. As mentioned in paragraph 12 above, one administrative session will be organized in conjunction with judicial deliberations in Case No. 16. Therefore the travel costs for Case No. 16 will cover two round trips (instead of three) for all judges, including judges ad hoc, and one round trip for judges ad hoc and for members of the Drafting Committee. This will require the sum of €450,100 for the consideration of two urgent proceedings and Case No. 16, as envisaged for the 2011-2012 financial period.

Section 11
Registry

11.1 Temporary assistance for meetings

39. A separate provision is made for temporary assistance for meetings to cover case-related expenses. This provision covers emoluments and costs for the travel of interpreters, verbatim reporters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for meetings, including hearings and judicial deliberations. The provision also covers the costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel, particularly translators, interpreters and verbatim reporters, are readily available at the seat of the Tribunal.

40. Estimates for interpretation costs are based on the terms and conditions followed in the United Nations system, taking into account the need for interpretation services at short notice and particularly during urgent proceedings. This requires work to be performed during weekends, official holidays and night-time meetings. Estimates regarding the translation expenses take into account the volume of work relating to urgent proceedings as well as the written proceedings of Case No. 16 that can be absorbed internally and an average number of pages that have to be sent out for translation, to which the Tribunal applies the contractual translation rates as determined by the United Nations Office at Geneva.

41. In the light of Case No. 16 and the increase in the rates applied to translators, interpreters and verbatim reporters, a total amount of €1,275,800 is proposed for 2011-2012, which represents an increase of €739,900 compared with the appropriation approved for 2009-2010. Out of this total, €532,200 will be used for urgent proceedings while the remaining €743,600 will be allocated to Case No. 16.

11.2 Overtime

42. The requirement for many staff members to work beyond normal working hours, particularly during urgent proceedings, is unavoidable if the Tribunal is to deliver its judgments within short periods of time. Overtime payments cannot always be replaced by compensatory time off, particularly in a small Registry. An amount of €45,000 is proposed to cover overtime during urgent proceedings in the 2011-2012 biennium. The consideration of Case No. 16 will require 18 weeks and overtime will be unavoidable during hearings and deliberations in particular. An amount of €33,800 is envisaged to cover overtime for Case No. 16. A total of €78,800 is proposed for this budget line, which represents an increase of €33,800 compared with the appropriation approved for 2007-2008 and for 2009-2010 respectively.

Part A
Recurrent expenditure

43. As in previous years, the Tribunal will hold four weeks of meetings during each calendar year to deal with legal matters related to the discharge of its judicial functions as well as administrative and organizational issues. One two-week session will be held in February-March and another in September-October of each year.

44. During these sessions, legal matters are considered by the plenary, the Committee on the Rules and Judicial Practice as well as the chambers of the Tribunal: Seabed Disputes Chamber, Chamber for Maritime Delimitation Disputes, Chamber for Marine Environment Disputes, and Chamber for Fisheries Disputes. Some of the main issues which were dealt with during the period 2008-2009 include matters relating to the jurisdiction of the Tribunal over delimitation cases; the contentious and advisory jurisdiction of the Seabed Disputes Chamber; amendments to the Rules relating to the posting of a bond in prompt release proceedings; submission of applications for the prompt release of vessels and crews in cases concerning pollution of the marine environment; revision of the system of administration of justice of the Tribunal in the light of the decision of the United Nations on the establishment of an appeals procedure; and publications of the Tribunal such as the guide to proceedings before the Tribunal. In addition, the

sessions provide the Tribunal with the opportunity to deliberate on current issues on the law of the sea such as piracy and other acts of violence carried out at sea; the legal status of certain maritime areas; legal issues relating to pipelines and submarine cables; illegal, unreported and unregulated fishing; and maritime transport of dangerous goods and hazardous waste.

45. At these meetings, the Tribunal also deals with administrative and organizational matters. In order to ensure that these issues are dealt with efficiently, the Tribunal has established special committees composed of judges to give detailed consideration to various matters referred to them and present recommendations for approval by the plenary: the Committee on Budget and Finance; Committee on Staff and Administration; Committee on Public Relations; Committee on Buildings and Electronic Systems; and Committee on Library, Archives and Publications. Administrative issues that are dealt with include decisions to be taken regarding staff appointments, supervision of the work and organization of the Registry, maintenance of the premises and related facilities of the Tribunal, public relations and preparation of the draft budget, the annual report and proposals for submission to the Meeting of States Parties.

Section 1
Judges

46. The second Meeting of States Parties decided that the level of remuneration of judges at the International Court of Justice would be used as the comparator (SPLOS/4). Taking account of those judges' remuneration, effective 1 January 2010, the annual base salary of judges at the Tribunal is to be adjusted to $166,596, effective 1 January 2010.

47. The fourth Meeting of States Parties decided that the annual remuneration of judges other than the President would consist of three elements (see SPLOS/8 and SPLOS/WP.3/Rev.1):

(a) An annual allowance, payable monthly, which is one third of the maximum annual remuneration (based on the current level of remuneration);

(b) A special allowance for each day that a judge is engaged on the business of the Tribunal;

(c) A subsistence allowance for each day that a judge is required to be present at the seat of the Tribunal.

48. In June 2009, the nineteenth Meeting of States Parties decided to apply to the annual and special allowances of judges of the Tribunal, effective 1 July 2009, the same post adjustment mechanism as is applicable to the salary of staff members in the Professional and higher categories. The Meeting also decided that, on the occasion of future revisions to the annual net base salary of members of the International Court of Justice, it would consider that the annual net base salary of the members of the Tribunal be adjusted by the same percentage and at the same time, bearing in mind the need to maintain the equivalence with the remuneration levels of the members of the International Court of Justice (see para. 15 above). Taking the remuneration of judges of the International Court of Justice effective 1 January 2010 as a basis, the annual base salary of judges at the Tribunal needs to be fixed at $166,596, effective 1 January 2010.

49. The budgetary estimates for the remuneration of judges for 2011-2012 under Part A, "Recurrent expenditure", are set out in annex V to the present document.

50. As in previous years, appropriations relating to cases are placed under Part C, "Case-related costs", and will be utilized for such purposes only (see Part C above and annexes VII and VIII).

1.1 Annual allowances

51. This budget line consists of the annual allowances of the President and the other members of the Tribunal and the allowances of the President and the Vice-President (see annex V).

52. The President is required to reside at the seat of the Tribunal and receives an annual remuneration of $166,596. The annual allowance of the other members of the Tribunal amounts to one third of the maximum annual remuneration ($55,532).

53. In addition, the President is paid an allowance of $15,000 per annum. The President is not entitled to a special allowance or subsistence allowance for attendance at meetings of the Tribunal.

54. The Vice-President receives an allowance for each day on which he acts as President. As in the case of the International Court of Justice, the rate for this allowance is fixed at $94 per day. Budgetary appropriations have been calculated on the basis of the same assumption that was applied to the budget for the financial period 2009-2010, i.e., that the Vice-President is present at the seat of the Tribunal to act as President for two weeks per annum (this includes 14 days' daily subsistence allowance, 10 days' allowance when the Vice-President is engaged in the business of the Tribunal and 10 days' allowance when the Vice-President acts as President). Accordingly, a provision of €8,311 per annum is made to meet the requirement. This amount represents a decrease of €190 compared with the appropriation approved for 2009-2010 (€8,501). The decrease is due to the decrease in the daily subsistence allowance applicable to Hamburg.

55. A provision of €2,931,100 is envisaged under this budget line, which represents an increase of €72,300 compared with the appropriation approved for 2009-2010. This increase is due to the application of the post adjustment multiplier of 52.8 applicable to Hamburg for March 2010 to the adjusted level of the remuneration of judges ($166,596). As the allowances of the President and the Vice-President are fixed in United States dollars, the exchange rate fluctuations also had a minor effect.[5]

1.2 Special allowances

56. Judges are paid a special allowance for each day that they are engaged in the business of the Tribunal during its sessions. A subsistence allowance is also paid for each day that a judge is required to be present at the seat of the Tribunal (see annex V).

57. Judges may be paid a special allowance for preparatory work which they undertake before meetings of the Tribunal. A subsistence allowance is also payable

[5] The United States dollar/euro exchange rate of 0.661 for March 2008 was applied to the 2009-2010 budget, while the exchange rate of 0.741 for March 2010 is applied to the 2011-2012 budget.

to judges when they carry out preparatory work related to the activities of the Tribunal away from their normal place of residence.

58. In respect of sessions for a total of four weeks each year, it is proposed, as in the past, that provision be made for a special allowance for preparatory work for a total of 10 days each for 20 judges. Payment of this allowance will be subject to authorization by the President.

59. In previous budgetary periods, provisions were approved regarding subsistence allowance for preparatory work for a total of seven days for up to 10 judges per annum. On the basis of the same criteria (70 days of daily subsistence allowance), an amount of €48,412 is proposed for 2011-2012. Subject to authorization by the President, this provision may be utilized to pay daily subsistence allowance to judges when they carry out preparatory work away from their normal place of residence, or special and daily subsistence allowances when they are engaged in the business of the Tribunal.

60. Compared with the appropriation approved for 2009-2010, a decrease of €27,200 has been envisaged under this budget line owing to the decrease in the daily subsistence allowance applicable to Hamburg.

1.3 Travel to sessions

61. This budget line covers the costs of judges travelling to Hamburg to attend sessions during the 2011-2012 financial period. A provision of €277,500 has been envisaged to meet the requirements. The sum of €138,750, representing the amount per annum, is usually intended to cover 20 judges travelling each year to two sessions. This is the same amount as the appropriation approved for 2009-2010, with a 1.47 per cent adjustment for inflation.

1.4 Pension scheme

62. The ninth Meeting of States Parties approved the Pension Scheme Regulations for members of the International Tribunal for the Law of the Sea (SPLOS/47).

63. At present, pensions are payable to 10 former judges and to three surviving spouses. The continued payment of these pensions is required in 2011-2012. In 2011, the terms of office of seven judges will expire. These judges will be entitled to a pension as from October 2011. Therefore, the 2011-2012 budget estimates include a provision in the amount of €644,500 to cover pension payments for 10 former judges and three surviving spouses for the full 2011-2012 financial period as well as a provision in the amount of €288,800 to cover pension payments for the 15-month period from October 2011 to December 2012 with respect to seven judges whose terms of office will expire on 30 September 2011.

64. In order to cover the costs of pension payments, a total amount of €933,300 is proposed for 2011-2012. This represents an increase of €346,200 compared with the provision made for 2009-2010 (see annex IX). The amount that will be utilized to meet the actual needs of the Tribunal will depend on the result of the election in 2011. Any part of the proposed appropriation not utilized will be surrendered in accordance with the Financial Regulations.

1.5 Common costs

65. This budget line includes the common costs in respect of the President, the insurance scheme for work-related accidents, the reimbursement of national taxes as well as removal costs of personal effects of judges whose mandate ends during the financial period concerned (see annex VI).[6] As indicated in paragraph 25 (c) above, it also includes provisions for the repatriation grant and the education grant of the current president and for the assignment grant of the new President. In addition, a provision for the reimbursement of national taxes is proposed for the financial period 2011-2012 to cover the national income tax liability of one judge.

66. A total of €133,900 is proposed for 2011-2012 under this budget line, which represents an increase of €59,500 compared with the provision made for 2009-2010. The increase is largely due to the fact that there will be an election for the President of the Tribunal in the 2011-2012 financial period and consequently assignment and repatriation costs for the incoming and outgoing presidents will be incurred during this period.

Section 2[7]
Registry

2.1 Established posts

67. No request for additional posts is made with respect to the 2011-2012 financial period.

68. The 2011-2012 post requirements for staff in the Professional and higher categories are set out in annex II and those for staff in the General Service category in annex III.

69. Budgetary estimates relating to staff costs are based on standard costs issued by the United Nations Programme Planning and Budget Division (standard salary costs, version 5, applicable to The Hague for 2011). On this basis, it is proposed to appropriate €5,974,000 for the established posts in 2011-2012. This represents a net increase of €246,800, after deduction of the amount of staff assessment, compared with the amount appropriated for 2009-2010.

2.2 Staff assessment/credit

70. In accordance with the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), the 2011-2012 budget proposals contain a separate budget line for a credit in respect of the amount of staff assessment, which is included in the costs for established posts. Accordingly, the contributions of States parties will be assessed on the basis of net salaries.

2.3 Reimbursement of national taxes

71. No provision for reimbursement of national taxes is required.

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[6] The removal costs of household and personal effects of the President, whose mandate also ends in 2011, are covered under the President's common costs.

[7] For the purposes of the estimates, the rates of remuneration have been computed on the basis of the applicable rates of the United Nations common system, using the 2011 standard costs (version 5) applicable to The Hague.

2.4 Common staff costs

72. Common staff costs comprise the various entitlements of staff, including pension contributions, medical insurance contributions, education grants and language and dependency allowances, as required under the Staff Regulations and Rules of the Tribunal. In accordance with United Nations practice, the applicable appropriation is calculated by applying a certain percentage to the net remuneration of the staff. The Programme Planning and Budget Division of the United Nations is responsible for determining different percentages in respect of common staff costs to be applied to different duty stations around the world.

73. The United Nations has not so far determined a separate rate applicable to Hamburg. The Tribunal used The Hague as a comparator for the purpose of budgeting common staff costs from 1996 to 2006. For the financial periods 2007-2008 and 2009-2010, the Tribunal based its common staff costs on the estimates of actual requirements.

74. The common staff costs rate for 2011 applicable to The Hague is fixed at 42 per cent according to the standard salary costs set by the United Nations, version 5, i.e., the same level as for the standard costs for 2009. On this basis, the common staff costs would amount to €1,022,000. However, as was the case for the financial periods 2007-2008 and 2009-2010, estimates have been prepared on the basis of actual requirements for the financial period 2011-2012. They amount to €1,017,100 per annum, which represents an increase of €42,300 compared with the appropriation approved for 2009-2010 (see annex XI).

2.5 Overtime

75. The nature of the work of the Tribunal makes the requirement for some staff members in the General Service category to work beyond normal working hours unavoidable, particularly during sessions. Overtime payments cannot always be replaced by compensatory time off, particularly in a small Registry. On the basis of the performance for 2009, the provision requested for 2011-2012 amounts to €36,000. This represents a decrease of €3,000 compared with the appropriation approved for 2007-2008 and for 2009-2010 respectively.

2.6 Temporary assistance for meetings

76. In line with the practice of other international judicial institutions, the Tribunal does not employ permanently the personnel needed for conference services. This provision covers emoluments and costs of travel for interpreters, revisers, translators, audio equipment operators and additional typists recruited specifically for sessions not directly related to cases. The provision also covers the costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel, particularly translators and interpreters, are readily available at the seat of the Tribunal.

77. While there is an increase in the rates applied to translators and interpreters, the daily subsistence allowance applicable to Hamburg has decreased compared with that used for the 2009-2010 budget. A provision of €210,300 is proposed for 2011-2012, which represents a slight decrease of €200 compared with the appropriation approved for 2007-2008 and for 2009-2010.

2.7 General temporary assistance

78. The Tribunal employs temporary assistance personnel to deal with peak workloads and to accommodate other specific requirements. General temporary assistance is predominantly used for translating, editing, photocopying and disseminating documents and for providing assistance to conference staff. On the basis of experience in the 2007-2009 period, the total provision proposed for general temporary assistance for 2011-2012 is €118,100, which represents a decrease of €3,000 compared with the appropriation approved for 2007-2008 and for 2009-2010.

2.8 Training

79. Staff training is required for the use of the computer network and specialized software, which are continually being updated for word-processing and database functions, including bibliographic and other information systems. Training in specialized matters, such as desktop publishing or referencing for linguistic services, is also necessary to ensure the efficient functioning of the Registry. In addition, language training is required to promote proficiency in the two official languages of the Tribunal and efficiency in relations between the Tribunal and the host country. In addition, since the Tribunal follows the United Nations common system, staff training is essential to ensure compliance with its practices. A provision of €72,100 is proposed for 2011-2012. This is the same amount as the appropriation approved for 2009-2010.

Section 3
Representation allowance

80. A representation allowance is payable to the President, the Registrar and the Deputy Registrar in accordance with United Nations practice. The total amount proposed for 2011-2012 is €11,300. This represents an increase of €1,300 compared with the appropriation approved for 2009-2010, which is due to the exchange rate fluctuations between the United States dollar and the euro.

Section 4
Official travel

81. This provision is to cover the travel costs of the President and of other judges, as necessary, and the Registrar and staff when on official business of the Tribunal. The appropriation proposed for official travel in 2011-2012 is €185,300. This is the same amount as the appropriation approved for 2009-2010.

Section 5
Hospitality

82. The amount proposed for 2011-2012 is €13,900, which is the same amount as the appropriation approved for 2009-2010.

Section 6
Operating expenditure

6.1 Maintenance of premises, including security

83. The Tribunal has to run a large modern building containing complex equipment. Under the Premises Agreement with the host country, the technical equipment provided along with the building (security system, heating and cooling system, courtroom technology, electrical installations, lifts, sprinkler system, ventilation, fire alarm system, electrically operated doors, etc.) has to be maintained in accordance with the highest standards applicable in the host country. For this purpose, the Registry currently has 27 maintenance contracts, which are continually reviewed and regularly renegotiated.

84. Since November 2000, the Tribunal has had a contract with Thyssen Krupp Industrie Service for the provision of services related to the running, management and maintenance of the premises, such as cleaning, snow and ice removal, waste disposal, work related to the water and power supplies and gardening. In addition, the Tribunal concluded a 24-hour security contract for its premises in September 2002.

85. Minor repairs, as provided for in the Premises Agreement, also have to be carried out from time to time by the Tribunal. Maintenance of the building requires utilities (electricity, gas, water) as well as supplies and insurance. On the basis of the evolution of costs of utilities in the previous years and the estimates for 2010, it is anticipated that the overall cost of utilities will be substantially higher in 2011-2012 than the amount approved for 2009-2010.

86. Together with the above-mentioned increase in utilities, a 1.47 per cent inflation rate is applied to other items in this budget line. On this basis, an amount of €2,099,100 is proposed for 2011-2012, which represents an increase of €66,000 compared with the appropriation approved for 2009-2010. The details of the expenditure relating to the maintenance of the premises are shown in annex X.

6.2 Rental and maintenance of equipment

87. The rental or lease of items of equipment has proved more economical than their purchase. Maintenance costs resulting from outright purchases are thus avoided. On the basis of previous experience, a provision of €361,400 is proposed for 2011-2012. This is the same as the amount approved for 2009-2010.

6.3 Communications

88. The expenses for the communications of the Tribunal include postage and courier services; telephone calls; faxing and e-mail; tele- and videoconferencing; Internet connections; and access to databases.

89. The provision for communications by means of telephone, fax, Internet and courier services includes the cost of communication between the Registry and judges working from home. It also includes the cost of leasing the necessary telephone lines to optimize efficiency in maintaining a website, e-mail and Internet connections for the premises. In the light of previous experience and in order to minimize the increase, an amount of €197,200 is proposed for 2011-2012. This is the same as the amount approved for 2009-2010.

6.4 Miscellaneous services and charges (including bank charges)

90. This provision is to cover the costs of miscellaneous services needed by the Tribunal where it is not appropriate to charge these costs to any of the specific budget lines. It includes items such as bank charges and adjustments for currency fluctuations. An amount of €40,000 is proposed for 2011-2012, which represents a decrease of €1,200 compared with the amount approved for 2009-2010.

6.5 Supplies and materials

91. This provision is to cover the costs of office and other supplies, materials and services at the premises. On the basis of previous experience and in order to minimize the increase, an amount of €123,900 is proposed for 2011-2012. This is the same as the amount approved for 2009-2010.

6.6 Special services (external audit)

92. Pursuant to the Financial Regulations of the Tribunal, in June 2008 the Meeting of States Parties appointed the auditors BDO Deutsche Warentreuhand AG as the financial auditor for the 2009-2010 and 2011-2012 financial periods (see SPLOS/184, para. 51). An amount of €11,500 is proposed for covering expenditure in this respect for 2011-2012 on the basis of the offer from BDO Deutsche Warentreuhand AG (see SPLOS/176). This amount represents a decrease of €3,100 compared with the appropriation level approved for 2009-2010.

Section 7
Library and related costs

93. The availability of quality library facilities at the Tribunal is indispensable for its effective operation. The judges and the staff of the Registry, as well as States and entities that may appear as parties before the Tribunal, need to have at their disposal a comprehensive collection of literature on public international law, the law of the sea, maritime law, commercial law, mining law and environmental law. Given the scope of the Tribunal's jurisdiction, the Library must also include material on various scientific subjects which are closely connected with the work of the Tribunal.

7.1 Procurement of books and publications

94. The Library needs to collect publications that form the basis of a core collection in international law. The annual cost of acquiring such materials, including serial publications, fluctuates and the associated costs, particularly for shipping, are often quite significant. The Library also subscribes to various databases which provide important and timely access to certain types of scientific and legal information. At present, the Library collections comprise 9,042 volumes, 8,796 serial volumes and 2,440 treaty series volumes.

95. The price of books, publications and subscriptions has increased substantially. Online subscriptions also have increased significantly. In order to minimize the increase, it is, however, proposed to appropriate an amount of €234,600 under the 2011-2012 budget, which is the same as the appropriation approved for 2009-2010.

7.3 External printing and binding

96. This provision is to cover the costs of producing and publishing documents and other material, such as judgments and pleadings of cases, and for disseminating other documentation such as the yearbook, basic texts, the guide to proceedings before the Tribunal, the annual report and information brochures on the Tribunal as well as CDs. In addition, the Library has to bind monographs and journals. On the basis of the performance of previous years and in order to minimize the increase, the amount proposed for 2011-2012 is €90,000. This represents a decrease of €2,400 compared with the amount approved for 2009-2010.

Part B
Non-recurrent expenditure

Section 8
Furniture and equipment

97. This provision is to cover the purchase of office equipment and furniture. The estimates for non-recurrent expenditure for 2011-2012 are based on the Tribunal's requirements in terms of office equipment, archive equipment (data-processing, storage and retrieval systems for archives and legal matters, etc.), software, and hardware and website maintenance and development. Account is also taken of the need to replace obsolete equipment, in particular electronic equipment.

8.1 Purchase of equipment

98. The seventeenth Meeting of States Parties approved an amount of €154,800 for the purchase of equipment for 2009-2010. In the light of the performance in 2009, the same amount of €154,800 is proposed for 2011-2012.

Section 9
Alterations to premises

99. No provision is requested under this budget line.

Part D
Working Capital Fund

100. In 1998, the eighth Meeting of States Parties authorized the establishment of a working capital fund to ensure continuity of operation in the event of temporary shortfalls in funds and to provide the Tribunal with the necessary financial means to consider cases, in particular those involving urgent proceedings.

101. For the purposes of the Tribunal, an amount of approximately 8 per cent of its annual budget (4 per cent of its biennial budget) is considered appropriate in line with United Nations practice. The current amount available to the Tribunal is €542,118, which was converted from $650,000 in November 2005 in accordance with the Financial Regulations of the Tribunal.

102. In addition to the $650,000 referred to above, in 2002, the twelfth Meeting of States Parties approved, on an exceptional basis, the appropriation of $500,000 (being part of the savings from the 2001 financial period) to the Working Capital Fund of the Tribunal in order to provide the Tribunal with the necessary financial means, in the event of temporary shortfalls in funds, to consider cases where the expenditure could not be met from case-related costs or from the transfer of funds between appropriation sections (SPLOS/L.28). This amount was converted to €417,014 in November 2005 in accordance with the Financial Regulations of the Tribunal.

103. The current level of €542,118 represents 2.57 per cent of the proposed budget of the Tribunal for 2011-2012. An adequate level in the Working Capital Fund would be €843,144 (4.0 per cent of the biennial budget). Accordingly, additional funding of €301,026 would be necessary in order to bring the Working Capital Fund up to the appropriate level in line with United Nations practice. To minimize increases in the 2011-2012 budget, however, the Tribunal does not propose any increase in the Working Capital Fund for the financial period 2011-2012.

Annex I

Budgets of the Tribunal from 2005-2006 to 2011-2012

Part/ Section	Objects of expenditure	Approved budget 2005-2006 (including supplemental budget) In euros[a]	Performance 2005-2006 In euros	Approved budget 2007-2008 In euros	Performance 2007-2008 In euros	Approved budget 2009-2010 In euros[b]	Proposed budget 2011 In euros	Proposed budget 2012 In euros	Proposed budget 2011-2012 In euros	fn	Biennial decrease/ increase
A	**Recurrent expenditure**										
1	**Judges**	**4 099 830**	**3 900 794**	**4 385 900**	**4 153 204**	**4 593 800**	**2 475 342**	**2 579 173**	**5 054 500**		**460 700**
1.1	Annual allowances	2 525 298	2 539 873	2 720 000	2 669 432	2 858 800	1 465 574	1 465 574	2 931 100		72 300
1.2	Special allowances	722 932	676 760	719 600	707 096	805 900	389 334	389 334	778 700		-27 200
1.3	Travel to sessions	246 300	238 271	256 500	213 411	267 600	137 726	139 751	277 500	c	9 900
1.4	Pension scheme	485 800	355 363	587 500	473 009	587 100					346 200
1.4.1	Pension in payment						322 239	322 239	644 500	d	
1.4.2	Pension for 7 judges, starting in October 2011						57 764	231 055	288 800	e	
1.5	Common costs	119 500	90 527	102 300	90 256	74 400	102 705	31 220	133 900	f	59 500
2	**Staff costs**	**6 632 700**	**6 344 400**	**6 985 800**	**6 690 635**	**7 054 600**	**3 663 335**	**3 674 210**	**7 337 500**		**282 900**
2.1	Established posts	5 661 500	4 205 062	5 668 800	4 440 739	5 790 400	2 987 000	2 987 000	5 974 000	g	183 600
2.2	Staff assessment/credit	-1 303 500		-1 144 600		-1 170 400	-553 600	-553 600	-1 107 200		63 200
2.3	Reimbursement of national taxes	30 000	30 000	30 000	25 563	0	0	0	0		0
2.4	Common staff costs	1 792 900	1 724 489	1 991 900	1 809 161	1 991 900	1 017 113	1 017 113	2 034 200		42 300
2.5	Overtime	39 000	36 753	39 000	32 986	39 000	18 010	18 010	36 000		-3 000
2.6	Temporary assistance for meetings	213 400	184 875	210 500	192 562	210 500	99 737	110 612	210 300		-200
2.7	General temporary assistance	133 100	117 399	121 100	120 584	121 100	59 025	59 025	118 100		-3 000
2.8	Training	66 300	45 822	69 100	69 040	72 100	36 050	36 050	72 100		0
3	**Representation allowance**	**12 200**	**12 188**	**12 800**	**10 798**	**10 000**	**5 632**	**5 632**	**11 300**		**1 300**
4	**Official travel**	**172 200**	**169 348**	**177 600**	**177 598**	**185 300**	**91 952**	**93 304**	**185 300**		**0**
5	**Hospitality**	**13 200**	**12 929**	**13 500**	**12 860**	**13 900**	**6 950**	**6 950**	**13 900**		**0**
6	**Operating expenditures**	**2 653 700**	**2 483 931**	**2 654 100**	**2 559 891**	**2 771 400**	**1 399 210**	**1 433 780**	**2 833 100**		**61 700**
6.1	Maintenance of premises including security	1 953 000	1 905 245	1 953 000	1 919 030	2 033 100	1 033 129	1 065 949	2 099 100	c	66 000
6.2	Rental and maintenance of equipment	332 600	307 601	346 400	310 966	361 400	180 681	180 681	361 400		0

Part/ Section	Objects of expenditure	Approved budget 2005-2006 (including supplemental budget) In euros[a]	Performance 2005-2006 In euros	Approved budget 2007-2008 In euros	Performance 2007-2008 In euros	Approved budget 2009-2010 In euros[b]	Proposed budget 2011 In euros	Proposed budget 2012 In euros	Proposed budget 2011-2012 In euros	fn	Biennial decrease/ increase
6.3	Communications	182 700	144 827	189 000	175 214	197 200	98 600	98 600	197 200		0
6.4	Miscellaneous services and charges (including bank charges)	37 900	29 779	39 500	27 787	41 200	20 000	20 000	40 000		-1 200
6.5	Supplies and materials	114 700	89 479	118 700	118 694	123 900	61 950	61 950	123 900		0
6.6	Special services (external audit)	32 800	7 000	7 500	8 200	14 600	4 850	6 600	11 500		-3 100
7	**Library and related costs**	**317 000**	**301 325**	**317 000**	**315 941**	**327 000**	**162 300**	**162 300**	**324 600**		**-2 400**
7.1	Procurement of books and publications	227 400	212 271	227 400	227 376	234 600	117 300	117 300	234 600		0
7.2	Start-up costs of library										
7.3	External printing and binding	89 600	89 054	89 600	88 565	92 400	45 000	45 000	90 000		-2 400
B	**Non-recurrent expenditure**										
8	**Furniture and equipment**	**150 000**	**144 429**	**150 000**	**149 187**	**154 800**	**77 400**	**77 400**	**154 800**		**0**
8.1	Purchase of equipment	150 000	144 429	150 000	149 187	154 800	77 400	77 400	154 800		0
8.2	Purchase of special equipment										
9	**Alteration to premises**			**112 000**	**112 000**	**0**			**0**		**0**
C	**Case-related costs**										
10	**Judges**	**1 797 869**	**19 669**	**1 851 700**	**387 044**	**2 030 900**	**2 806 808**	**1 002 190**	**3 809 000**		**1 778 100**
10.1	Special allowances	1 449 933	9 840	1 488 500	319 355	1 647 600	2 282 624	804 951	3 087 600		1 440 000
10.2	Compensation to judges ad hoc	88 436	0	92 100	5 199	100 200	221 087	50 253	271 300		171 100
10.3	Travel to meetings, including judges ad hoc	259 500	9 829	271 100	62 490	283 100	303 097	146 986	450 100		167 000
11	**Staff costs**	**538 200**	**4 616**	**554 300**	**168 875**	**580 900**	**1 065 935**	**288 587**	**1 354 600**		**773 700**
11.1	Temporary assistance for meetings	493 200	4 616	509 300	147 316	535 900	1 009 685	266 087	1 275 800		739 900
11.2	Overtime	45 000	0	45 000	21 559	45 000	56 250	22 500	78 800		33 800
D	**Working Capital Fund**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**		**0**
	Total	**16 386 899**	**13 393 629**	**17 214 700**	**14 738 033**	**17 722 600**	**11 754 864**	**9 323 526**	**21 078 600**		**3 356 000**

(Footnotes on following page)

(Footnotes to Annex I)

Rate of exchange US$ 1 = €0.741 (United Nations exchange rate for March 2010).
Inflation factor = 1.47 per cent.

[a] Based on SPLOS/117, SPLOS/132 and SPLOS /133.

[b] Based on SPLOS/180 and SPLOS/200.

[c] Adjusted by 1.47 per cent inflation.

[d] Pension currently in payment.

[e] Pension for seven judges whose term of office expires on 30 September 2011. The actual amount to be paid will depend on the results of the 2011 election.

[f] There was no presidential election in 2009-2010. Installation and repatriation costs for the President will occur in 2011.

[g] Budget information system, standard salary costs, version 5, year 2011 applicable to The Hague.

Annex II

Professional staff of the Registry in 2011-2012

Level	*Function*	*Number of posts*	*Standard costs in United States dollars*	*Net standard costs in United States dollars*	*Staff assessment in United States dollars*
ASG	Registrar	1	243 628	199 784	43 844
D-2	Deputy Registrar	1	208 282	169 500	38 782
P-5	Chief of Administration	1	156 663	132 074	24 589
P-5	Head of Linguistic Services	1	156 663	132 074	24 589
P-4	Librarian	1	151 058	126 741	24 317
P-4	Head of Budget and Finance	1	151 058	126 741	24 317
P-4	Translator/Reviser	1	151 058	126 741	24 317
P-4	Legal Officer	2	302 117	253 482	48 635
P-3	Legal Officer	1	117 068	98 265	18 803
P-3	Information Technology Officer	1	117 068	98 265	18 803
P-3	Translator	1	117 068	98 265	18 803
P-3	Administrative Officer (Support/Building Management)	1	117 068	98 265	18 803
P-2	Contributions Officer/Budget	1	114 175	97 180	16 995
P-2	Associate Legal Officer	1	114 175	97 180	16 995
P-2	Archivist	1	114 175	97 180	16 995
P-2	Press Officer	1	114 175	97 180	16 995
	Total	**17**	**2 445 499**	**2 048 917**	**396 582**
	Total in euros (rounded)		**1 755 900**	**1 471 100**	**284 800**
	Total for the biennium in euros (rounded)		**3 511 800**	**2 942 200**	**569 600**

Note: Figures and exchange rate are based on the standard salary costs, version 5, applicable to The Hague for 2011.

Annex III

General Service staff of the Registry in 2011-2012

Level	*Function*	*Number of posts*	*Standard costs in United States dollars*	*Net standard costs in United States dollars*	*Staff assessment in United States dollars*
Principal level					
	Administrative Assistant (Personnel)	1	90 336	67 584	22 752
	Administrative Assistant (Procurement)	1	90 336	77 664	12 672
	Building Coordinator	1	90 336	77 664	12 672
	Computer Systems Assistant	1	90 336	77 664	12 672
	Publications/Personal Assistant (Registrar)	1	90 336	77 664	12 672
Other levels					
	Administrative Assistant	1	84 192	64 128	20 064
	Administrative Assistant (Contributions)	1	84 192	64 128	20 064
	Conference/Documentation Assistant	1	84 192	64 128	20 064
	Finance Assistant	1	84 192	64 128	20 064
	Finance Assistant (Accounts Payable)	1	84 192	64 128	20 064
	Library Assistant	1	84 192	64 128	20 064
	Linguistic Assistant/Judiciary Support	2	168 384	128 256	40 128
	Personnel Assistant	1	84 192	64 128	20 064
	Personal Assistant (President)	1	84 192	64 128	20 064
	Personal Assistant (Deputy Registrar)	1	84 192	64 128	20 064
	Receptionist	1	84 192	64 128	20 064
	Senior Security Officer/Building Superintendent	1	84 192	64 128	20 064
	Security Officer/Driver	2	168 384	128 256	40 128
	Total	**20**	**1 714 560**	**1 340 160**	**374 400**
	Total in euros (rounded)		**1 231 100**	**962 200**	**268 800**
	Total for the biennium in euros (rounded)		**2 462 200**	**1 924 400**	**537 600**

Note: Figures and exchange rate are based on the standard salary costs, version 5, applicable to The Hague for 2011.

Annex IV

Comparison of post requirements

Posts approved for 2005-2006

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand Total*
1	1	0	2	5	3	5	17	5	15	20	37

Posts approved for 2007-2008

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand Total*
1	1	0	2	5	4	4	17	5	15	20	37

Posts proposed for 2009-2010

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand Total*
1	1	0	2	5	4	4	17	5	15	20	37

Posts proposed for 2011-2012

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand Total*
1	1	0	2	5	4	4	17	5	15	20	37

Annex V

Judges in 2010/2011 — judicial work not related to cases

		In United States dollars	*2011 In euros including post adjustment*	*2012 In euros including post adjustment*	*2011-2012 In euros including post adjustment*
1. Annual allowance	166 596 / 3 x 20	1 110 640	1 257 520	1 257 520	2 515 040
2. Special allowance (20 days /based on 220 working days per annum)	166 596 / 3 / 220 x 20 x 20	100 967	114 320	114 320	228 640
3. Subsistence allowance (28 days)	333 x 1.4 x 28 x 20	261 072	193 648	193 648	387 296
4. Special allowance for preparatory work (10 days/ based on 220 working days per annum), to be authorized by the President	166 596 / 3 / 220 x 10 x 20	50 484	57 160	57 160	114 320
5. Preparatory work Subsistence allowance (7 days for 10 judges) to be authorized by the President	333 x 1.4 x 7 x 10	32 634	24 206	24 206	48 412
6. President, annual allowance	166 596	166 596	188 628	188 628	377 256
7. President, special allowance	15 000	15 000	11 115	11 115	22 230
8. Vice-President's special allowances					
14 days of subsistence allowance	14 x 333 x 1.4	6 527	4 841	4 841	9 682
10 days of special allowances	10 x (166 596 / 3 / 220) + 94)	3 464	3 470	3 470	6 940
Total		**1 747 384**	**1 854 908**	**1 854 908**	
Total in euros for the biennial budget					**3 709 816**
Total in euros for the biennial budget (rounded)					**3 709 800**
Total annual allowances (President and other judges) [Items 1, 6-8] in euros			**1 465 574**	**1 465 574**	**2 931 148**
Total special allowances (including daily subsistence allowance) [Items 2-5] in euros			**389 334**	**389 334**	**778 668**

Note: The daily subsistence allowance is determined by ICSC and is subject to change.
Daily subsistence allowance rate in United States dollars: 333 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 247 (plus 40 per cent for judges).
United Nations exchange rate for March 2010: 0.741.
Post adjustment multiplier applicable to Hamburg for March 2010: 52.80 per cent.

Annex VI

Judges common costs in 2011-2012

2011	*In United States dollars*	*In euros*
1. President's common costs		
Repatriation grant	23 097	17 115
Assignment grant	52 591	38 970
Education grant	9 447	7 000
Removal costs of personal effects of 7 judges whose mandate will expire in 2011 @ €1,200	11 336	8 400
2. Reimbursement of national taxes	33 738	25 000
3. Insurance for work-related accidents	8 394	6 220
Total	**138 603**	**102 705**
2012		
1. President's common costs		
Home leave travel	0	0
Education grant	0	0
2. Reimbursement of national taxes	33 738	25 000
3. Insurance for work-related accidents	8 394	6 220
Total	**42 132**	**31 220**
Total in euros for the biennial budget		**133 925**
Total in euros for the biennial budget (rounded)		**133 900**

United Nations exchange rate for March 2010: 0.741.
Daily subsistence allowance rate in United States dollars: 333 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 247 (plus 40 per cent for judges).

Annex VII

Case-related costs in 2011-2012 — judicial work related to urgent proceedings

		In United States dollars	*2011 In euros including post adjustment*	*2012 In euros including post adjustment*	*2011-2012 In euros including post adjustment*
Judges					
1. Special allowance (21 days/based on 220 working days per annum)[a]	166 596 / 3 / 220 x 42 x 20	212 031	240 072	240 072	480 144
2. Subsistence allowance (22 days)[b]	333 x 1.4 x 44 x 20	410 256	304 304	304 304	608 608
3. Special allowance for preparatory work, to be authorized by the President (18 days/based on 220 working days per annum)[c]	166 596 / 3 / 220 x 35 x 20	176 693	200 060	200 060	400 120
4. Subsistence allowance for preparatory work, to be authorized by the President (9 days for 10 judges)	333 x 1.4 x 17.5 x 10	81 585	60 515	60 515	121 030
5. Compensation for two judges ad hoc					
Annual allowance	166 596 / 3 / 365 x 39 x 2	11 867	13 436	13 436	26 872
Special allowance	166 596 / 3 / 220 x 39 x 2	19 689	22 293	22 293	44 586
Subsistence allowance	333 x 1.4 x 21 x 2	19 580	14 524	14 524	29 048
6. Travel of judges (including two judges ad hoc)			144 857	146 986	291 843
Staff costs					
7. Temporary assistance for meetings		359 092	266 087	266 087	532 174
8. Overtime		30 364	22 500	22 500	45 000
Total		**1 321 157**	**1 288 648**	**1 290 777**	**2 579 425**
Total for the biennial budget					**2 579 425**
Total in euros for the biennial budget (rounded)					**2 579 400**

Note: The daily subsistence allowance is determined by ICSC and is subject to change.
Daily subsistence allowance rate in United States dollars: 333 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 247 (plus 40 per cent for judges).
United Nations exchange rate for March 2010: 0.741.
Post adjustment multiplier applicable to Hamburg for March 2010: 52.8 per cent.

[a] 3 weeks based on 7 days.
[b] 3 weeks based on 7 days plus travel days.
[c] 2.5 weeks based on 7 days (based on ratio determined by the MoSP).

Annex VIII

Case-related costs in 2011-2012 — judicial work related to Case No. 16

		In United States dollars	*2011 In euros including post adjustment*
Judges			
1. Special allowance (5 days deliberations/based on 220 working days per annum)[a]	166 596 / 3 / 220 x 5 x 20	25 242	28 580
2. Subsistence allowance (7 days)[b]	333 x 1.4 x 7 x 20	65 268	48 412
3. Special allowance (15 days oral proceedings/based on 220 working days per annum)[a]	166 596 / 3 / 220 x 15 x 20	75 725	85 739
4. Subsistence allowance (21 days, oral proceedings)[b]	333 x 1.4 x 21 x 20	195 804	145 236
5. Special allowance (20 days deliberations/based on 220 working days per annum)[a]	166 596 / 3 / 220 x 20 x 20	100 967	114 320
6. Subsistence allowance (28 days, deliberations)[b]	333 x 1.4 x 28 x 20	261 072	193 648
7. Special allowance (25 days drafting committee/ 7 judges based on 220 working days per annum)[a]	166 596 / 3 / 220 x 25 x 7	44 173	50 015
8. Subsistence allowance (35 days, drafting committee 7 judges)[b]	333 x 1.4 x 35 x 7	114 219	84 721
9. Special allowance (25 days deliberations/based on 220 working days per annum)[a]	166 596 / 3 / 220 x 25 x 20	126 209	142 900
10. Subsistence allowance (35 days, deliberations)[b]	333 x 1.4 x 35 x 20	326 340	242 060
11. Special allowance for preparatory work, to be authorized by the President (43 days/based on 220 working days per annum)	166 596 / 3 / 220 x 43 x 20	217 080	245 788
12. Special allowance for preparatory work of drafting committee, to be authorized by the President (17 days/based on 220 working days per annum)	166 596 / 3 / 220 x 17 x 7	30 038	34 010
13. Subsistence allowance for preparatory work, to be authorized by the President (18 days for 10 judges)	333 x 1.4 x 18 x 10	83 916	62 244
Total allowances		**1 666 053**	**1 477 673**
14. Compensation for two judges ad hoc			
Annual allowance	166 596 / 3 / 365 x (91+43) x 2	40 774	46 166
Special allowance, including preparatory work	166 596 / 3 / 220 x (65+43) x 2	54 522	61 732
Subsistence allowance	333 x 1.4 x 91 x 2	84 848	62 936
Total judges ad hoc		**180 144**	**170 834**

	In United States dollars	*2011 In euros including post adjustment*
15. Travel of judges (including two judges ad hoc)	213 549	158 240
Staff costs		
16. Temporary assistance for meetings	1 003 506	743 598
17. Overtime	45 547	33 750
Total	**3 108 799**	**2 584 095**
Total in euros for the biennial budget (rounded)		**2 584 100**

Note: The daily subsistence allowance is determined by ICSC and is subject to change.
Daily subsistence allowance rate in United States dollars: 333 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 247 (plus 40 per cent for judges).
United Nations exchange rate for March 2010: 0.741.
Post adjustment multiplier applicable to Hamburg for March 2010: 52.80 per cent.

[a] Based on 5 days per week.

[b] Based on 7 days per week.

Annex IX

Judges' pension scheme in 2011-2012

	In United States dollars	*In euros*
2011		
Pension for 10 retired judges, including 1 former President, and 3 surviving spouses	434 870	322 239
Pension for 7 judges for three months[a]	77 954	57 764
Total	**512 824**	**380 003**
2012		
Pension for 10 retired judges, including 1 former President, and 3 surviving spouses	434 870	322 239
Pension for 7 judges[a]	311 815	231 055
Total	**746 685**	**553 294**
Total for the biennial budget	**1 259 509**	**933 296**
Total in euros for the biennial budget (rounded)		**933 300**

[a] Actual number of retiring judges can only be determined after the elections during the Meeting of States Parties in June 2011.

United Nations exchange rate for March 2010: 0.741.

Annex X

Maintenance of premises in 2011-2012

		Budget 2009 *In euros*	*Budget 2010* *In euros*	*Budget 2011* *In euros*	*Budget 2012* *In euros*
I.	Facility management	384 789	392 870	390 052	395 786
II.	Maintenance supplies	23 269	23 758	24 107	24 461
	Gas supplies	74 839	76 411	84 052	92 457
	Power supplies	112 260	114 617	126 079	138 687
	Water supplies	18 938	19 336	21 270	23 397
III.	Utilities (electricity, gas and water)	206 037	210 364	231 401	254 541
	Listed maintenance contracts	164 700	168 159	170 631	173 139
	Examination	3 788	3 868	3 925	3 983
IV.	Maintenance contracts	168 488	172 027	174 556	177 122
V.	Contents and third-party liability insurance	22 346	22 815	23 105	23 445
VI.	Minor repairs (maximum of 1,000 euros each)[a]	51 050	52 122	50 000	50 000
VII.	Other repairs	0	0	0	0
VIII.	Security services (24 hours)	150 018	153 168	139 908	140 594
	Total	**1 005 997**	**1 027 124**	**1 033 129**	**1 065 949**
	Total for the biennial budget (rounded)		**2 033 100**		**2 099 100**

[a] As provided for in the Premises Agreement.

Inflation factor: 1.47 per cent.
Inflation factor utilities: 10.00 per cent.

Annex XI

Common staff costs 2011-2012 in euros

Estimate for common staff costs (Based on actual costs and estimated requirements)	
Contributions to the United Nations Joint Staff Pension Fund[a]	439 899.00
Dependency allowance[a]	71 834.00
Education grant[a]	246 006.00
Home leave[a]	50 005.00
Language allowance[a]	9 769.00
Accident at work insurance[a]	17 715.00
Medical insurance[a]	49 503.00
After-service health insurance[a]	4 548.00
Rental subsidy[a]	26 877.00
Provision for staff rotation:[b]	
Professional category (5.31 per cent)	78 115.41
General Service category (2.27 per cent)	21 841.94
Miscellaneous (ex gratia payments including cancellation of leave)	1 000.00
Total in euros	**1 017 113.35**
For information	
Established posts, net	2 433 400.00
Common staff costs, 42 per cent	1 022 028.00

[a] Based on 2009 performance.

[b] Provision for expenses related to staff rotation based on the vacancy rate used by the International Court of Justice.